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6 In Pro Per

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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**
10

11 In re:
12 SCOT MATTESON,
13 Alleged Debtor.

Case No. 8:20-bk-10441-TA

Chapter 7 Proceeding

**STIPULATION TO DISMISS CHAPTER 7
INVOLUNTARY PETITION FILED BY
ELIZABETH NIGRO & ASSOCIATES, APC**

16 This Stipulation to Dismiss Chapter 7 Involuntary Petition (“Stipulation”) is entered
17 into by and between Elizabeth Nigro and Associates, APC (“Petitioning Creditor”) and Scot
18 Matteson (“Alleged Debtor”) with regard to the following facts and circumstances (the
19 Petitioning Creditor and the Alleged Debtor are referred to herein, together, as the “Parties”).

20 **RECITALS**

21 A. On February 7, 2020, the Petitioning Creditor filed in this Court an involuntary
22 petition for relief (“Involuntary Petition”) against the Alleged Debtor commencing this case.
23 The Petitioning Creditor was the sole petitioning creditor.

24 B. The Alleged Debtor opposes the Involuntary Petition, in part, on the grounds
25 that (i) the Petitioning Creditor’s claim is the subject of a bona fide dispute, and (ii) the
26 Alleged Debtor generally is paying his debts as they come due. The Alleged Debtor asserts
27 that the Involuntary Petition has no merit. The Petitioning Creditor disputes such assertion.

1 C. The time for the Alleged Debtor to respond to the Involuntary Petition has been
2 extended, and a status conference set by this Court has been continued, from time to time by
3 stipulations between the Parties approved by orders of this Court.

4 D. After extensive and difficult negotiations between the Parties conducted over a
5 period of months, the Alleged Debtor and the Petitioning Creditor have reached a settlement of
6 their disputes. The settlement provides for an immediate dismissal of the Involuntary Petition.

7 E. No trustee has been appointed to this case.

8 F. No claimant has joined in the Involuntary Petition.

9 G. No party, other than the Petitioning Creditor, has had any involvement in this
10 case, except only that American Express and Synchrony Bank have requested Notice of
11 Electronic Filings in this case.

12 H. In light of the settlement reached between the Parties and the lack of any
13 involvement by any other party in this case, the Parties believe that good cause exists for the
14 immediate dismissal of this case.

15 NOW, THEREFORE, based upon the above Recitals, and for other good and sufficient
16 consideration, the receipt and sufficiency of which are acknowledged by the Parties, the Parties
17 hereby agree and stipulate as follows.

18 **AGREEMENT**

19 1. The Involuntary Petition shall be dismissed with prejudice immediately upon
20 the Court's entry of the accompanying order approving this Stipulation.

21 2. The Parties shall bear their own fees and costs with respect to the Involuntary
22 Petition and this Stipulation. The Alleged Debtor waives any right to recover fees on account
23 of the Petitioning Creditor's filing of the Involuntary Petition.

24 3. No hearing or notice shall be necessary to effectuate this Stipulation.

25 Dated: July 23, 2020

ELIZABETH NIGRO AND ASSOCIATES, APC

26 By: /s/ Elizabeth Nigro

27 Elizabeth Nigro, Esq

[SIGNATURE ON NEXT PAGE]

1 Dated: July 30 2020

2 **WINTHROP GOLUBOW HOLLANDER, LLP**

3 By: 

4 **Robert E. Opera, Esq.,**
5 **Counsel for Alleged Debtor**

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CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 1301 Dove Street, Suite 500 Newport Beach, CA 92660.

A true and correct copy of the foregoing document entitled: **STIPULATION TO DISMISS CHAPTER 7 INVOLUNTARY PETITION FILED BY ELIZABETH NIGRO & ASSOCIATES, APC**

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **August 3, 2020**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Shraddha Bharatia** notices@becket-lee.com
- **Elizabeth Nigro** liznigro@nigrofamilylaw.com
- **Robert E Opera** ropera@wghlawyers.com, pj@wghlaw.com;
jmartinez@wghlawyers.com; Meir@virtualparalegalservices.com
- **Valerie Smith** claims@recoverycorp.com
- **United States Trustee (SA)** ustregion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL: On _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 3, 2020

Krysti Ritchie

/s/ Krysti Ritchie

Date

Printed Name

Signature